

### REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 44 through 53 are pending, with Claims 44 and 49 being independent. Claims 34 through 38 have been cancelled without prejudice. Claims 44, 45, 46, and 48 have been amended. Claims 49 through 53 have been added.

### THIRD REQUEST FOR RETURN OF FORM PTO-1449

As an initial matter, Applicants again respectfully request return of the Form PTO-1449 from the December 16, 2005 Information Disclosure Statement. Favorable consideration in this regard is earnestly solicited.

### FURTHER REMARKS

Claims 34 through 38 and 44 through 48 again were rejected under 35 U.S.C. § 103 over U.S. Patent No. 5,625,410 (Washino, et al.) in view of U.S. Patent No. 5,426,513 (Scorse, et al.). All rejections are respectfully traversed.

Claims 44 and 49 variously recited, *inter alia*, determining a frame rate according to the image capture mode, the number of pixels according to the image capture mode, and a compression ratio according to the image capture mode (set in accordance with a selection by a user *before* capture of the images).

However, Applicants respectfully submit that neither Washino, et al. nor Scorse, et al., even in the proposed combination, assuming, *arguendo*, that the documents could be combined, discloses or suggests at least the above-discussed claimed features as recited, *inter alia*, in Claims 44 and 49.

The Official Action relies at page 7 upon Washino, et al.'s col. 7, lines 1 through 10. Applicants respectfully traverse such reliance. Applicants respectfully submit that

such discloses, e.g., computer software is provided to implement menu-driven management of the data bandwidth allocation to various image sources, etc. However, Applicants respectfully submit that such provides neither a description nor a suggestion of at least the above-discussed claimed features as recited, *inter alia*, in Claims 44 and 49.

The Official Action relies at page 8 upon Scorse, et al. Applicants respectfully traverse such reliance. Applicants respectfully submit that Scorse, et al. shows, e.g., selecting the resolution for each image, and selecting the compression level for each image (e.g., Fig. 2) — after the image has been captured; Applicants respectfully submit that neither the foregoing nor the remainder of Scorse, et al. provides either a description or a suggestion of at least the above-discussed claimed features as recited, *inter alia*, in Claims 44 and 49.

It is further respectfully submitted that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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